

SENATE BILL 379

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 41,
Chapter 1, relative to correctional institutions and
inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-1-408, is amended by designating the present language as subsection (a) and by adding the following language as new subsections:

(b) The department of correction shall establish and implement a plan to charge an inmate housed in a state prison facility a co-pay amount for any medical care, treatment, pharmacy services or substance abuse treatment by a licensed provider provided to the inmate by the state. The co-pay plan shall establish the amount the inmate is required to pay for each service provided. Nothing in this subsection (b) shall be construed as authorizing the department of correction to deny medical care, treatment, pharmacy services or substance abuse treatment by a licensed provider to an inmate who cannot pay the co-pay amount established by the plan.

(c) If an inmate cannot pay the co-pay amount established by a plan adopted pursuant to subsection (b), the plan may authorize the warden to deduct the co-pay amount from the inmate's commissary account or any other account or fund established by or for the benefit of the inmate while incarcerated.

(d) Notwithstanding any other provision of law to the contrary, a plan established pursuant to subsection (b) may also authorize the warden to seek reimbursement for the expenses incurred in providing medical care, treatment, hospitalization or pharmacy services to an inmate incarcerated in the state prison facility from an insurance company, health care corporation, TennCare or other source, if the inmate is covered by

an insurance policy, TennCare or subscribes to a health care corporation or other source for those expenses.

SECTION 2. The commissioner of correction is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.